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UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF LOUISIANA

TONY R. MOORE, CLERK  
WESTERN DISTRICT OF LOUISIANA  
LAFAYETTE, LOUISIANA

LAFAYETTE DIVISION

UNITED STATES OF AMERICA

CRIMINAL ACTION NO. 08-00368-03

VERSUS

JUDGE DOHERTY

MONIQUE ROBERTS

MAGISTRATE JUDGE HILL

**RULING ON APPEAL**

Currently pending before the Court is an “Objection and Appeal from Magistrate Judge’s Ruling and Order” filed by defendant Monique Roberts [Doc. 115]. In the appeal, the defendant requests that this Court conduct an *in camera* inspection of the unredacted versions of certain DEA-6 Investigation Reports prepared by agents for the government conducting a debriefing of co-defendant Roderick Aaron. This Court referred the matter to the magistrate judge, who conducted an *in camera* inspection of the foregoing documents and ruled that the redacted DEA-6 reports furnished by the government to defense counsel substantially complied with the government’s obligations, with minor additional disclosure to be made, including the dates of certain interviews. Notwithstanding the foregoing, the defendant contends she is entitled to an *in camera* inspection by an Article III judge, and hereby appeals the ruling and order of the magistrate judge.

“A judge may designate a magistrate judge to hear and determine any pretrial matter pending before the court, except a motion . . . to dismiss or quash an indictment. . . .” *See* 28 U.S.C. 636(b)(1)(A); *accord* FED.R.CRIM.P. 59(b). Those pre-trial matters which can be disposed of by the magistrate judge pursuant to a Ruling and Order are reviewed by the district court under the “clearly erroneous or contrary to law” standard of review. 28 U.S.C. §636(A). Accordingly, this Court will review the magistrate judge’s ruling and order under the “clearly erroneous or contrary to law”

standard of review.

After conducting an independent *in camera* review of the DEA-6 reports in question, this Court agrees that the redacted DEA-6 reports furnished by the government to defense counsel, along with the additional disclosure ordered by the magistrate judge, comply with the government's disclosure obligations. Considering the foregoing, this Court concludes the ruling and order of the magistrate judge was not contrary to law.

Accordingly,

IT IS ORDERED that the ruling of the magistrate judge is AFFIRMED.

THUS DONE AND SIGNED this 8 day of January, 2010.



REBECCA F. DOHERTY  
UNITED STATES DISTRICT JUDGE